

**PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R096-01

August 31, 2001

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 445A.428; §§2-4, NRS 445A.425.

Section 1. NAC 445A.0586 is hereby amended to read as follows:

445A.0586 **1.** “Point source” has the meaning ascribed to it in NRS 445A.395.

2. *The commission will interpret the term to include wheeled, track, stationary or floating equipment used for earth-moving activity from which pollutants are or may be discharged.*

Sec. 2. NAC 445A.100 is hereby amended to read as follows:

445A.100 **1.** “Point source” has the meaning ascribed to it in NRS 445A.395.

2. *The commission will interpret the term to include wheeled, track, stationary or floating equipment used for earth-moving activity from which pollutants are or may be discharged.*

Sec. 3. NAC 445A.309 is hereby amended to read as follows:

445A.309 **1.** “Diffuse source” includes:

~~[1.]~~ **(a)** Agricultural activity, including return flows from irrigation;

~~[2.]~~ **(b)** Silvicultural activity;

~~[3.]~~ **(c)** Mining activity;

~~[4.—Construction of]~~

(d) *Runoff from construction activities associated with* buildings, roads, dams, utility lines or other improvements or facilities;

~~{5.}~~ (e) Runoff from roads, streets and railroads;

~~{6.—Construction}~~

(f) *Runoff from construction activities associated with recreational trails* or *the* use of recreational trails;

~~{7.}~~ (g) Modification of water courses or stream channels; and

~~{8.}~~ (h) Runoff from urban areas.

2. The term includes the runoff from construction activities specified in paragraphs (d) and (f) of subsection 1 regardless of whether wheeled, track, stationary or floating equipment is used for earth-moving activity.

Sec. 4. NAC 445A.372 is hereby amended to read as follows:

445A.372 *1.* “Point source” has the meaning ascribed to it in NRS 445A.395.

2. The commission will interpret the term to include wheeled, track, stationary or floating equipment used for earth-moving activity from which pollutants are or may be discharged.